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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,377	02/07/2006	Simon Leonard Rumer	1033963-000020	6743

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EXAMINER

KIM, PAUL D

ART UNIT	PAPER NUMBER
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3729

NOTIFICATION DATE	DELIVERY MODE
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03/12/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary	Application No. 10/567,377	Applicant(s) RUMER, SIMON LEONARD	
	Examiner Paul D. Kim	Art Unit 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 7-9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is a response to the amendment filed on 12/19/2008.

Claim Objections

1. Claims 1-6 and 10-15 are objected to because of the following informalities:

Re. Claim 1: Before the phrase "processing" as recited in line 6, changes the phrase "the substrate" to --the fired substrate--.

After the phrase "the substrate until" as recited in line 6, changes the phrase "the planar surfaces" to --the planar surface--.

After the phrase "elongate stub walls" as recited in line 7, changes the phrase "are" to --is--.

After the phrase "thereof so that" as recited in line 11, changes the phrase "the members" to --the one or more members--.

Re. Claim 2: After the phrase "one or more stub walls" as recited in line 2, changes the phrase "extend" to --extends--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 and 10-15 are, as best understood in view of the rejections under 112 second paragraphs, rejected under 35 U.S.C. 102(b) as being anticipated by Applicant Admitted Prior Art (APA hereinafter).

APA teaches a process of making a high frequency circuit modules comprising steps of: providing a ceramic substrate (2) having one or more elongate stub walls (6, 7 and both ends such as below the reference 3) projecting from a planar surface thereof; firing the ceramic substrate; processing the surface of the substrate to form the planar surface of the substrate; applying a conductive adhesive (3) to the surfaces of the one or more stub walls; placing a housing lid (4) over the substrate, the lid having one or more members (5) projecting from a planar surface thereof so that the members align with the one or more stub walls of the substrate to form a composite structure as shown in Fig. 1 (see also line 8 of page 3 to line 28 of page 4 of the specification).

As per claim 2 the one or more stub walls extend, at least partially, around the periphery of the planar surface of the substrate as shown in Fig. 1.

As per claims 3 and 10 the one or more stub walls project from the surface of the substrate.

As per claims 4, 11 and 12 the projection of the one or more stub walls from the planar surface of the substrate is, inherently, provided proportionally to the predetermined surface distortion values of the substrate in order to avoid cracking and stressing of the substrate.

As per claims 5 and 13-15 the processing the surface comprises one or more grinding the surface of the substrate.

As per claim 6 while the composite structure is pressured (by a weight of the lid), the conductive adhesive is cured.

4. Claims 1-3 and 6 are, as best understood in view of the rejections under 112 second paragraphs, rejected under 35 U.S.C. 102(b) as being anticipated by Kasai et al. (US PAT. 6,924,429).

Kasai et al. teach a process of making a high frequency circuit modules comprising steps of: providing a ceramic substrate (2) having one or more elongate stub walls (both ends) projecting from a planar surface thereof as shown in Fig. 4; processing the surface of the substrate; applying a conductive adhesive (25, as shown in Fig. 4) to the surfaces of the one or more stub walls; placing a housing lid (3) over the substrate, the lid having one or more members (both ends) projecting from a planar surface thereof so that the members align with the one or more stub walls of the substrate to form a composite structure as shown in Fig. 4 (see also col. 12, lines 20-56).

As per claim 2 the one or more stub walls extend, at least partially, around the periphery of the planar surface of the substrate as shown in Fig. 4.

As per claims 3 and 10 the one or more stub walls project from the surface of the substrate.

As per claim 6 while the composite structure is pressured (by a weight of the lid), the conductive adhesive is cured.

Response to Arguments

5. Applicant's arguments filed 12/19/2008 have been fully considered but they are not persuasive. Applicant argues that APA fails to teach the claimed invention such as one or more elongate stub walls. Examiner traverses the argument that there is no such structural definition what the one or more elongate stub walls is. Therefore, APA meets the limitation of the one or more elongate stub walls as shown in Fig. 1. Applicant also argues that APA fails to teach the surface planarization is performed prior to RF component fabrication described in the specification. However, there is no such limitation in the claimed invention. Also, applicant argues that Kasai et al. fail to teach the claimed invention such as processing the substrate until the planar surface of the one or more elongate stub walls is uniform and parallel. Examiner traverses the argument that the at least one elongate stub wall of Kasai et al. is uniform and parallel. The claimed invention does require that the one or more elongate stub walls can be at least one elongate stub wall as shown in Fig. 4.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D. Kim whose telephone number is 571-272-4565. The examiner can normally be reached on Monday-Thursday between 6:00 AM to 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul D Kim/
Primary Examiner, Art Unit 3729